

**REMARKS****Summary of the Office Action**

Claims 1-13 stand rejected under 35 U.S.C. §102 (b) as allegedly being anticipated by Sakakibara et al. (US, 6,007,928).

**Summary of the Response to the Office Action**

Applicant respectfully traverses the assertion made by the Office for at least the following reasons. Claims 1-26 are presented, with claims 14-26 being withdrawn from consideration. Accordingly, claims 1-13 are presently pending for consideration.

**Rejection of Claims under 35 U.S.C. §102 (b)**

Claims 1-13 stand rejected under 35 U.S.C. §102 (b) as allegedly being anticipated by Sakakibara et al. (US, 6,007,928). Applicant traverses this rejection for at least the following reasons.

With respect to independent claim 1, Applicant respectfully asserts that Sakakibara et al. fails to teach or suggest at least an organic emission layer having a blended structure of a block copolymer and an organic emission material. On pages 4 and 5 of the Action, the Office alleges that “At any occurrence in Sakakibara et al.’s prior art reference, the Examiner pointed out the blended structure including the block copolymer and the organic polymer emission layer. See example claim 3, which explicitly cites the blended structure including the block copolymer and the organic polymer emission layer.” Applicant respectfully disagrees.

As previously presented, in accordance with the presently claimed invention, “the organic emission layer” has a blended structure of a block copolymer and an organic emission material. However, Sakakibara et al. teaches a light-emitting layer comprised of a block copolymer

including a block component A (first monomer) having a first chemical formula and a block component B (second monomer) having a second chemical formula, wherein the molar ratio of the block component A to the block component B is between 0.1:99.9 and 99.9:0.1 (col. 2, line 45 to col. 3, line 24, and independent claim 1). Although, claim 3 of Sakakibara et al. recites the features of “layer of the block copolymer comprising the block component (A) and the block component (B) is a light emitting layer,” Sakakibara et al. is silent with regard to the “blended structure” of two components, one of which is the “organic emission material.”

In addition, seven (7) different block copolymers prepared in accordance with the Sakakibara et al.’s recipe use only a block copolymer as the light emitting layer 3 (alleged to be an organic emission layer). However, the light emitting layer of Sakakibara et al. is not “an organic emission layer having a blended structure of a block copolymer and an organic emission material.” Accordingly, Applicant respectfully asserts that none of the Sakakibara et al.’s examples teach the “blended structure” of two components, one of which is the “organic emission material,” as discussed in at least independent claim 1. As pointed out in MPEP §2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).

Accordingly, in light of the argument presented above, Applicant respectfully requests that the rejection of claims under 35 U.S.C. § 102(b) be withdrawn because Sakakibara et al. fails to teach each and every feature of at least independent claim 1, hence, dependent claims 2-13.

**Claims 3-13 Recites Patentable Features**

The Office on page 2 alleges that an anionic polymerization process recited in dependent claim 3 renders the claim of a product-by-process nature, because Sakakibara et al. teaches that the block copolymer is formed of two monomers (Table 1). Therefore, the process limitations recited therein are not given a patentable weight. In addition, the Office on page 3 alleges that polystyrene and polybutadiene monomers recited in dependent claim 4 do not exist in the final product since they are intermediate or initial products used to obtain the final product. Therefore, these two claimed monomers, and their characteristics as recited in claims 5-13 are not given patentable weight. Furthermore, the Office alleges that as to claims 9, 10, and 12, as mentioned earlier, the monomers are intermediate products. Since Sakakibara et al.'s device includes monomers, the organic emission layer of Sakakibara et al.'s device would also include different structure. Moreover, the Office asserts that device of Sakakibara et al. includes the monomers and the organic emission material as claimed by the Applicant, the organic emission material or the monomers in Sakakibara et al.'s device would also be distributed respectively around the monomers or the organic emission material in the blended structure. Applicant respectfully disagrees.

With respect to dependent claim 3, Applicant respectfully submits that it is not clear why and how "an anionic polymerization process" limitation renders the product-by-process nature, since the alleged final product as recited in claim 1 (i.e., organic emission layer of an electroluminescence device) clearly includes an organic emission layer having a blended structure of a block copolymer and an organic emission material. In addition, with respect to claim 4, 9, 10, and 12 the alleged monomers, polystyrene and polybutadiene, are not the intermediate or the

initial products used to obtain the final product, because polystyrene and polybutadiene exist in the final product. Furthermore, with respect to claims 9, 10, and 12, Applicant respectfully asserts that light emitting layer of Sakakibara et al. does not include the organic emission material. As presented in the arguments with respect to the independent claim 1 above, none of examples (i.e., light emitting layer) taught by Sakakibara et al. includes any type of organic emission material.

Accordingly, Applicant respectfully submits that the assertion made by the Office with respect to claims 3-13 is improper. In addition, Applicant respectfully asserts that each of claims 3-13 include patentable features such that each of claims 3-13 should be examined on the merits. Thus, Applicant respectfully requests withdrawal of interpretation of the prior art with respect to claims 3-13 and requests reconsideration and examination of claims 3-13 on the merits.

### **CONCLUSION**

In view of the foregoing remarks, Applicant respectfully requests reconsideration of this application, withdrawal of all rejections, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310.

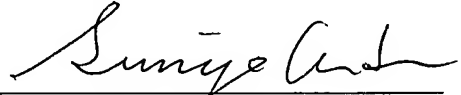
If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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Dated: October 10, 2006

By: \_\_\_\_\_



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